



Public Notice

U.S. Army Corps of Engineers, Norfolk District

9/13/2005

CENAO-TS-REG
05-V2024

FEDERAL PUBLIC NOTICE

The District Engineer and the Virginia Department of Environmental Quality have received a joint application for Federal and State permits as described below:

APPLICANT

Norfolk Southern Railway Company
Mr. W. H. Duncan, Engineering Box 7-142
1200 Peachtree Street
Atlanta, GA 30309-3579

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project affects wetlands and other waters in a tributary to Second Swamp and the Blackwater River, near New Bohemia, in Prince George County, Virginia.

PROPOSED WORK AND PURPOSE: The applicant proposes to fill 2.85 acres of palustrine forested wetlands and 42 feet of intermittent stream on a 219-acre parcel for an intermodal railroad and truck transportation facility.

In addition to the required Department of the Army permit, the applicant must obtain a Virginia Water Protection Permit from the Virginia Department of Environmental Quality (DEQ) assuring that applicable laws and regulations pertaining to water quality are not violated. Project drawings are attached.

AUTHORITY: Permits are required pursuant to Sections 401 and 404 of the Clean Water Act (Public Law 95-217) and Title 62.1 of the Code of Virginia.

FEDERAL EVALUATION OF APPLICATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected from the proposal must be balanced against its reasonably foreseeable detriments. All of the proposal's relevant factors will be considered, including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use classification, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The Environmental Protection Agency's "Guidelines for Specification of Disposal Sites for Dredged or Fill Material" will also be applied (Section 404(b)(1) of the Clean Water Act).

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies

and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Anyone may request a public hearing to consider this permit application by writing to the District Engineer within 30 days of the date of this notice, stating specific reasons for holding the public hearing. The District Engineer will then decide if a hearing should be held.

Preliminary review indicates that: (1) no environmental impact statement will be required; (2) no species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) will be affected; and (3) no known properties eligible for inclusion or included in the National Register of Historic Places are in or near the permit area, or would likely be affected by the proposal. Additional information might change any of these findings. For compliance with the Coastal Zone Management Act of 1972, as amended, the applicant must certify that federally licensed or permitted activities affecting Virginia's coastal zone (Tidewater) will be conducted in a manner consistent with the Virginia Coastal Resources Management Program (VCP). For more information or to obtain a list of the enforceable programs of the VCP, contact the Department of Environmental Quality, Office of Environmental Impact Review at (804) 698-4330 or e-mail: elirons@deq.virginia.gov.

COMMENT PERIOD: Comments on this project should be made in writing, addressed to the Norfolk District, Corps of Engineers (ATTN: John Evans CENAO-TS-REG), 803 Front Street, Norfolk, Virginia 23510-1096, and should be received by the close of business on October 14, 2005.

If you have any questions about this project or the permit process, please email John Evans at john.d.evans@usace.army.mil or call 757.201.7794.

FOR THE DISTRICT ENGINEER:

/s/

Mike Schwinn
Chief, Western Virginia Regulatory Section

Attachment: Site Location, Impact Areas
Plan Views 3A, 3B, 3C, 3D, 3E, 3F, 3G, 3H, 3I, 3J

PERMANENT IMPACT AREA 3
APPROX. 0.71 ACRES
(REFER TO FIGURES 6 & 6A FOR
PLAN VIEW & CROSS-SECTION DETAILS)

PERMANENT IMPACT AREA 2
APPROX. 0.37 ACRES
(REFER TO FIGURES 5 & 5A FOR
PLAN VIEW & CROSS-SECTION DETAILS)

PERMANENT IMPACT AREA 4
APPROX. 1.55 ACRES
(REFER TO FIGURES 7 & 7A FOR
PLAN VIEW & CROSS-SECTION DETAILS)

PERMANENT IMPACT AREA 1
APPROX. 0.22 ACRES
(REFER TO FIGURES 4 & 4A FOR
PLAN VIEW & CROSS-SECTION DETAILS)

PROPOSED SITE LOCATION
(APPROXIMATE)

LEGEND:

USACE CONFIRMED WETLAND BOUNDARY

NORFOLK SOUTHERN PROPOSED
WETLAND/STREAM IMPACTS
(APPROX. 2.85 ACRES)

FIGURE 3 DRAWING KEY

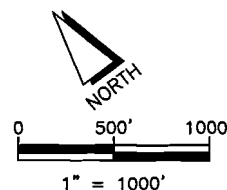
PERENNIAL STREAM

INTERMITTENT STREAM

OPEN WATER

TRANSMISSION LINE EASEMENT

U.S. ARMY CORPS OF ENGINEERS
RECEIVED
AUG 25 2005
BY _____

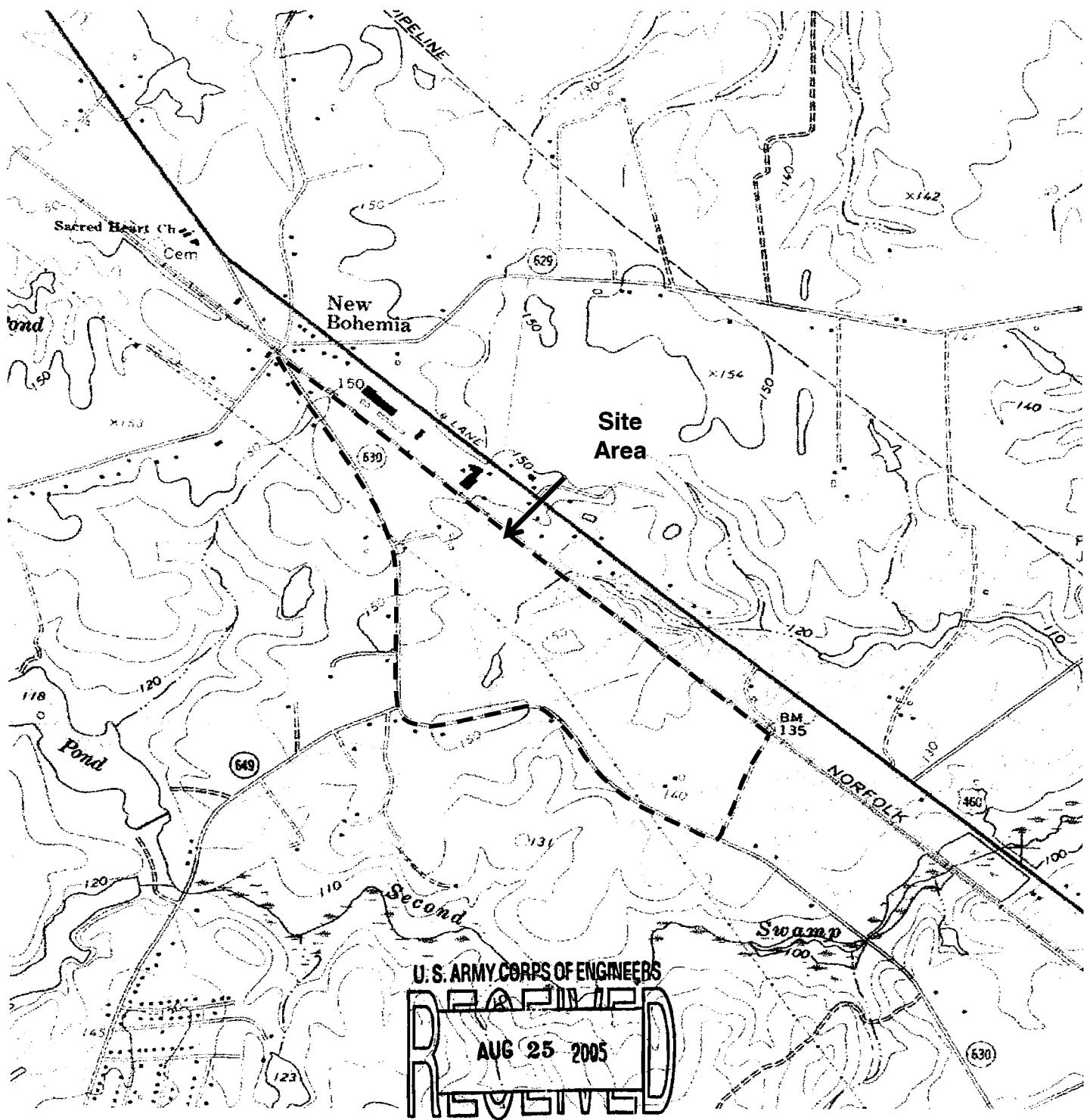


PROPOSED
SITE LOCATION
PROPOSED INTERMODAL FACILITY
PRINCE GEORGE COUNTY, VIRGINIA

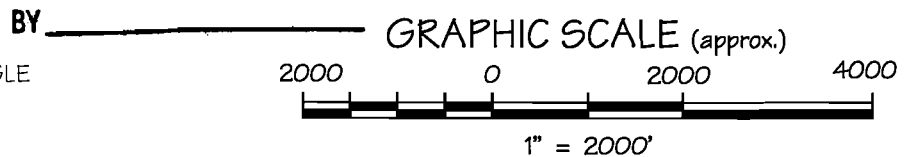
DATE MAY-05
PROJECT NO.
61408

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A Tyco International Ltd. Company

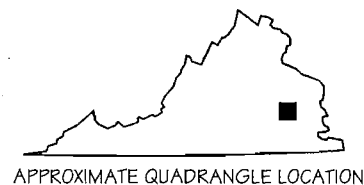
FIGURE
3



SOURCE:
U.S.G.S. 7.5 MINUTE TOPOGRAPHIC QUADRANGLE
Prince George, Virginia
CONTOUR INTERVAL = 10 FEET



Property Boundary - - - - -



PROJECT:

Joint Permit Application
Proposed Intermodal Facility

Prince George County, Virginia
Applicant: Norfolk Southern Railway
Company

AGENT CONTACT:

Angela Schreffler

PROJECT NO.:

71892

DATE:

08/23/05

SCALE:

AS SHOWN

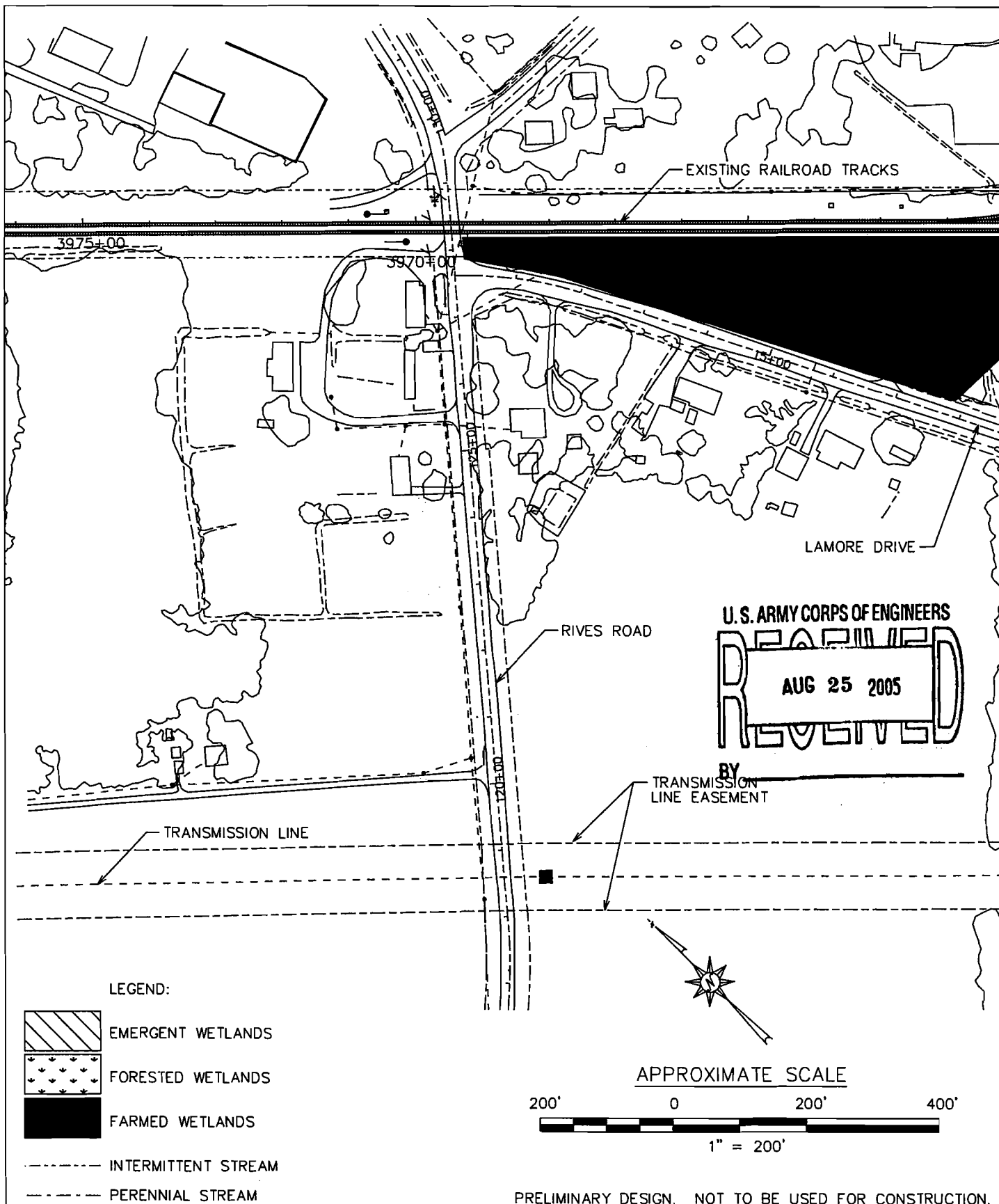
FIGURE NO.:

1

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FIGURE TITLE:

Facility Location & Topography Map
Proposed Intermodal Facility
Prince George County, Virginia

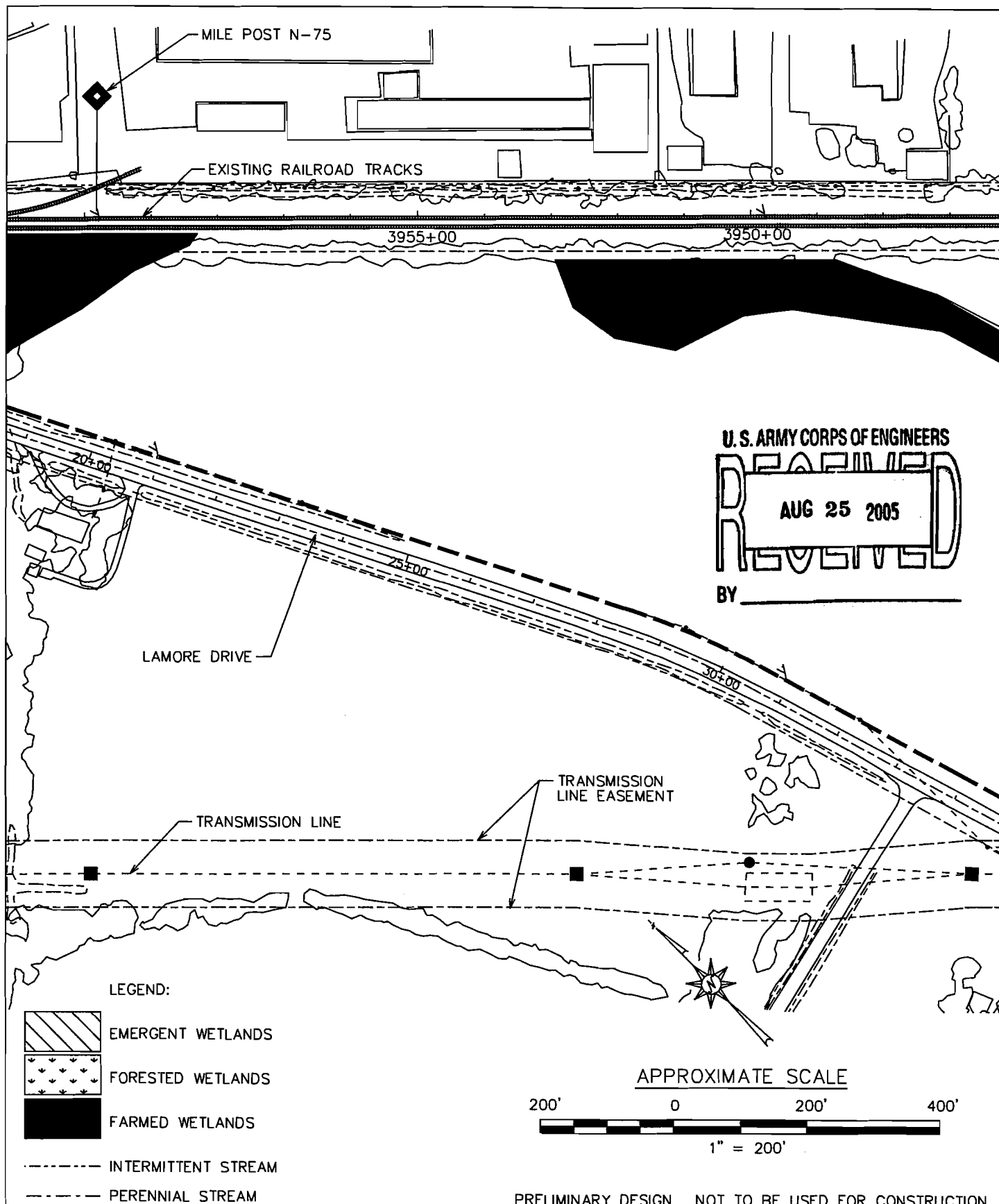


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FIGURE 3A
PLAN VIEW
SITE PLAN
PROPOSED INTERMODAL FACILITY
PRINCE GEORGE, VIRGINIA

JULY 2005

61408

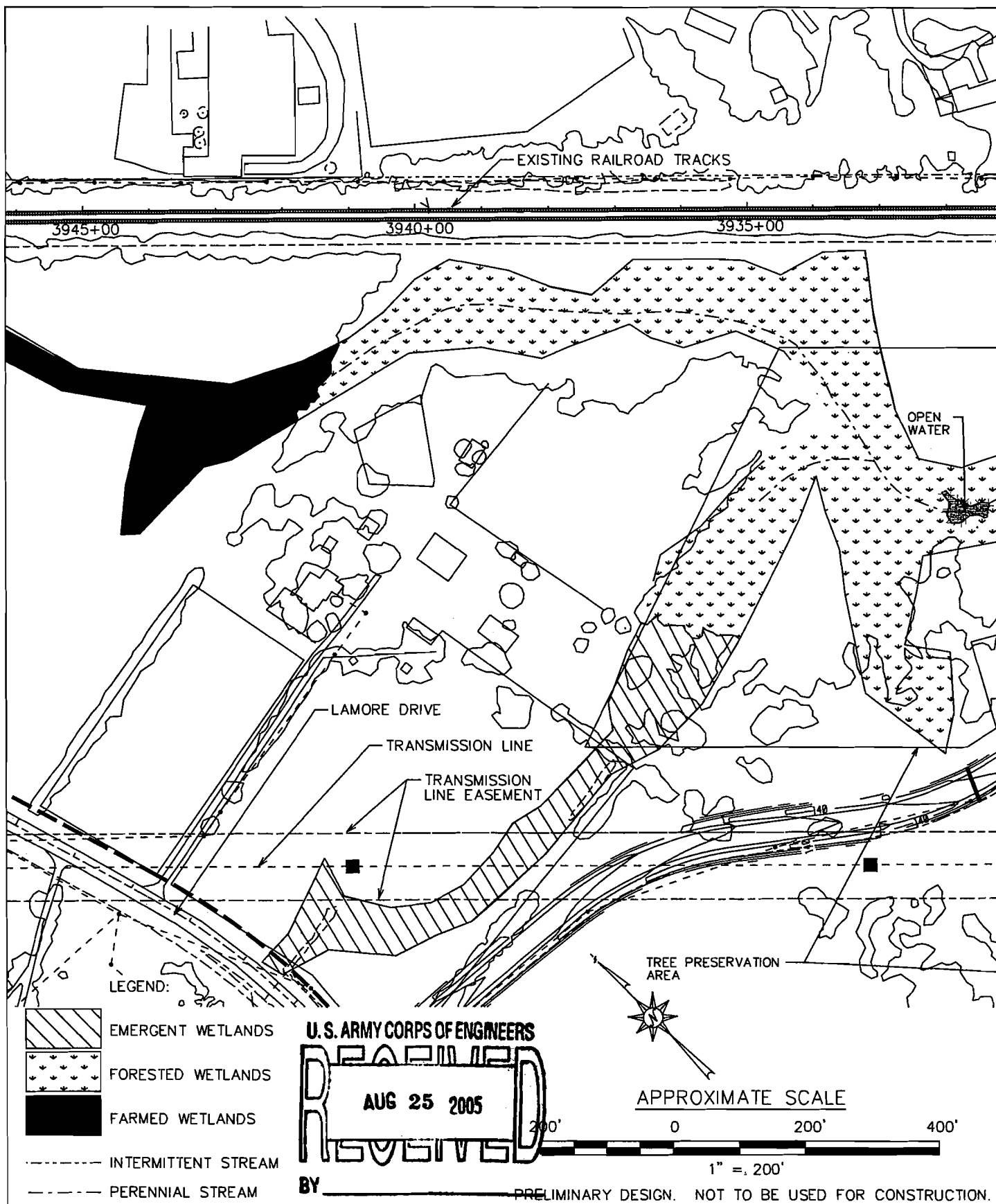


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FIGURE 3B
 PLAN VIEW
 SITE PLAN
 PROPOSED INTERMODAL FACILITY
 PRINCE GEORGE, VIRGINIA

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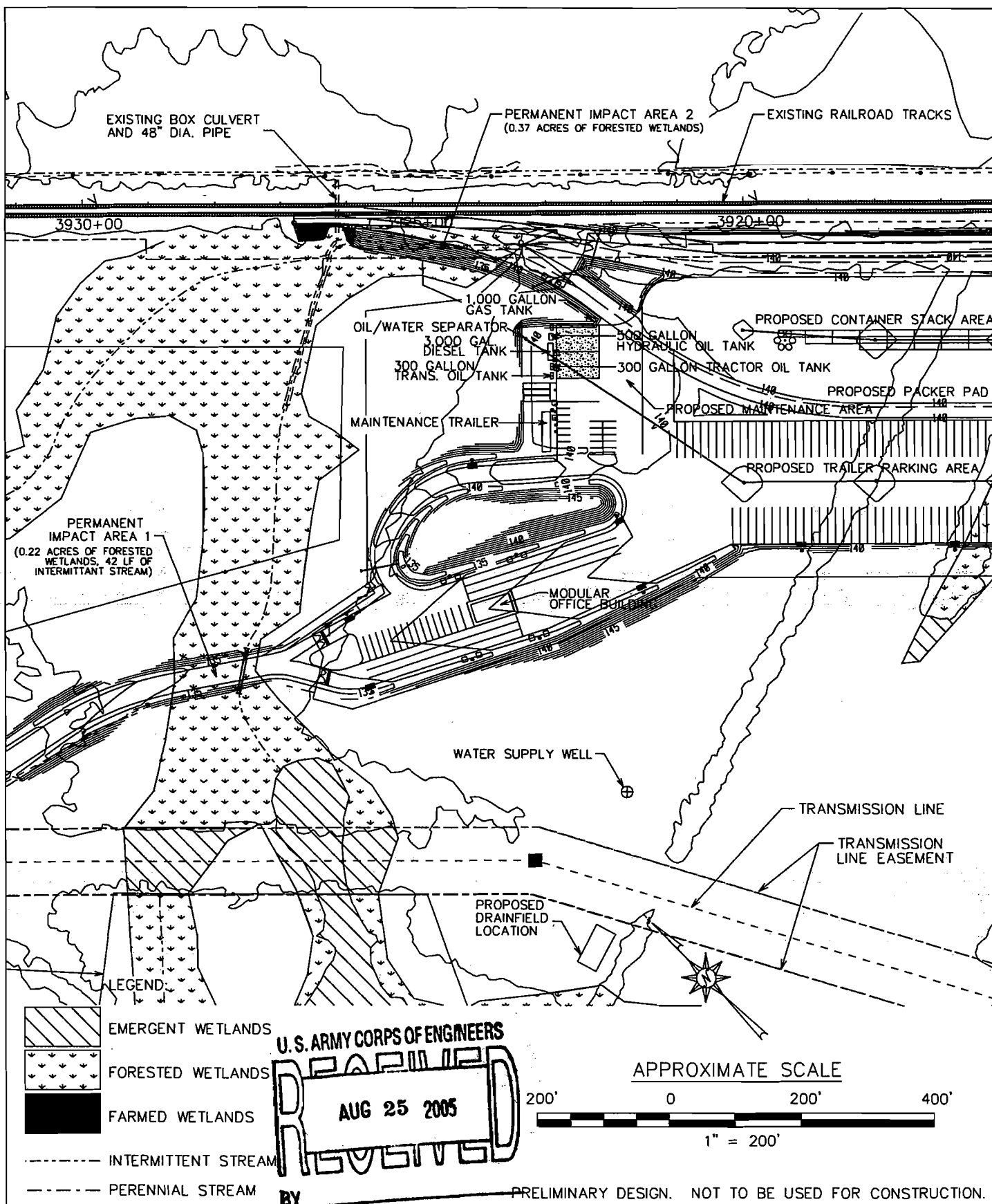


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FIGURE 3C
PLAN VIEW
SITE PLAN
PROPOSED INTERMODAL FACILITY
PRINCE GEORGE, VIRGINIA

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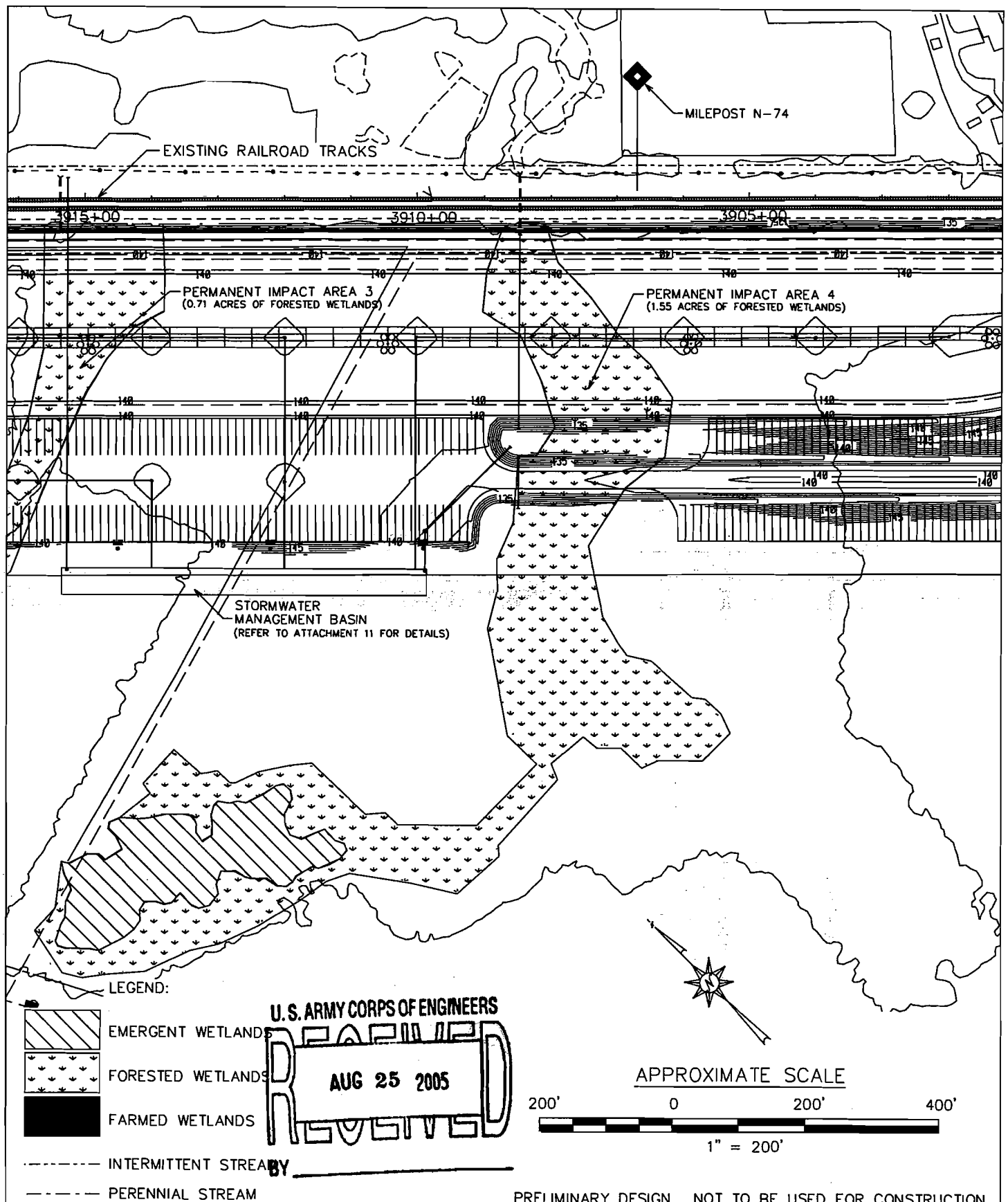


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FIGURE 3D
PLAN VIEW
SITE PLAN
PROPOSED INTERMODAL FACILITY
PRINCE GEORGE, VIRGINIA

JULY 2005

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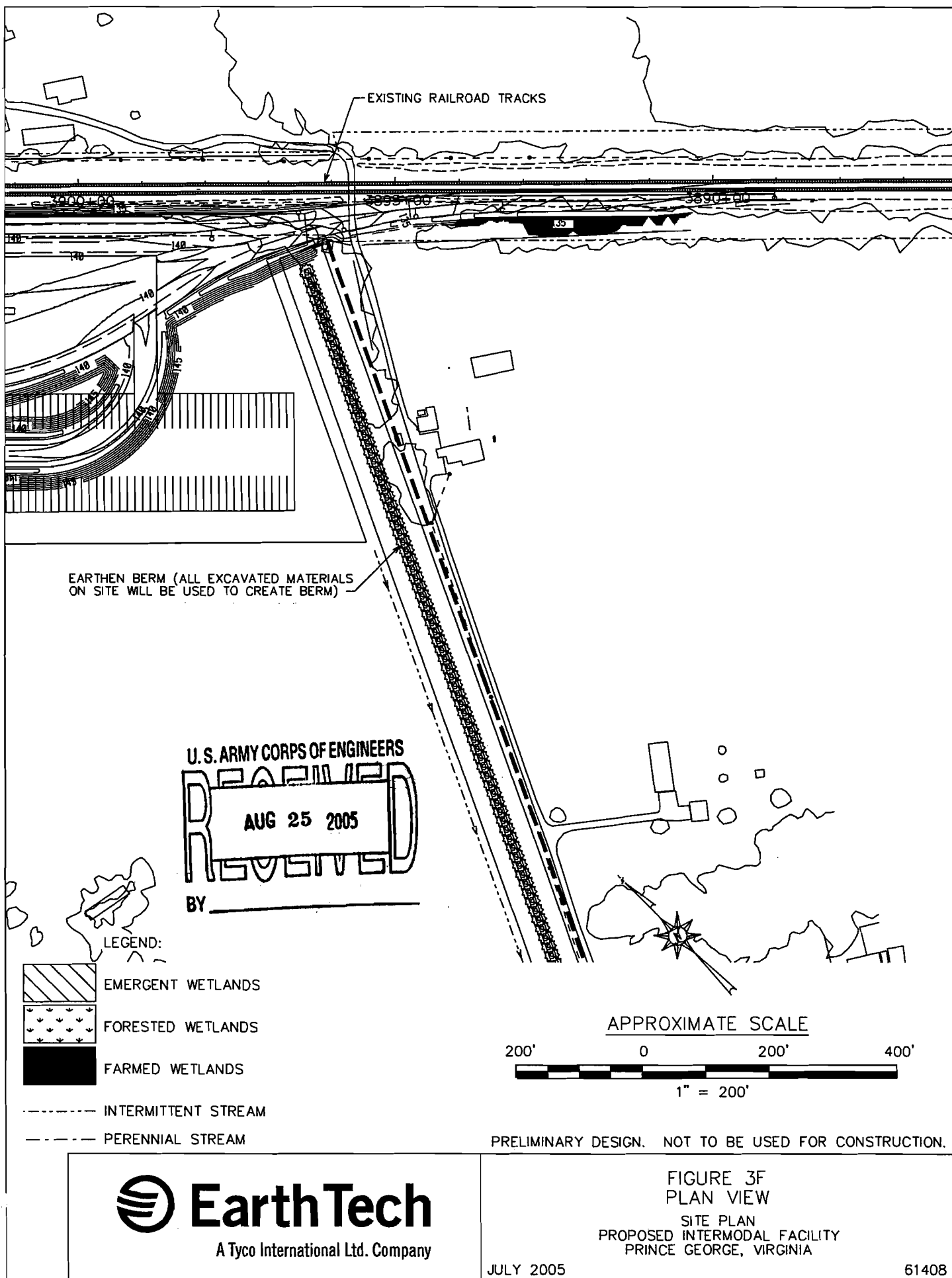


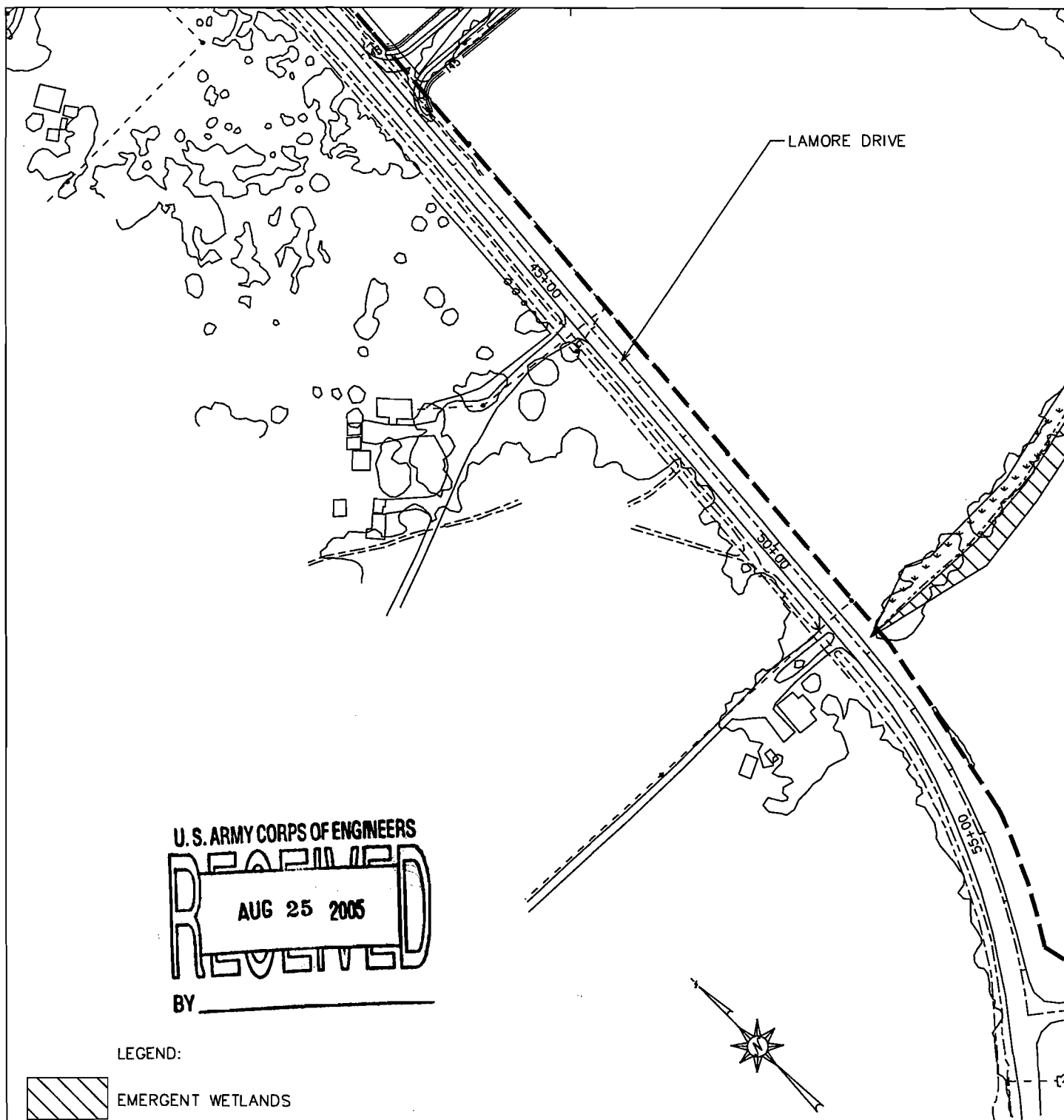
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FIGURE 3E
PLAN VIEW
SITE PLAN
PROPOSED INTERMODAL FACILITY
PRINCE GEORGE, VIRGINIA

JULY 2005

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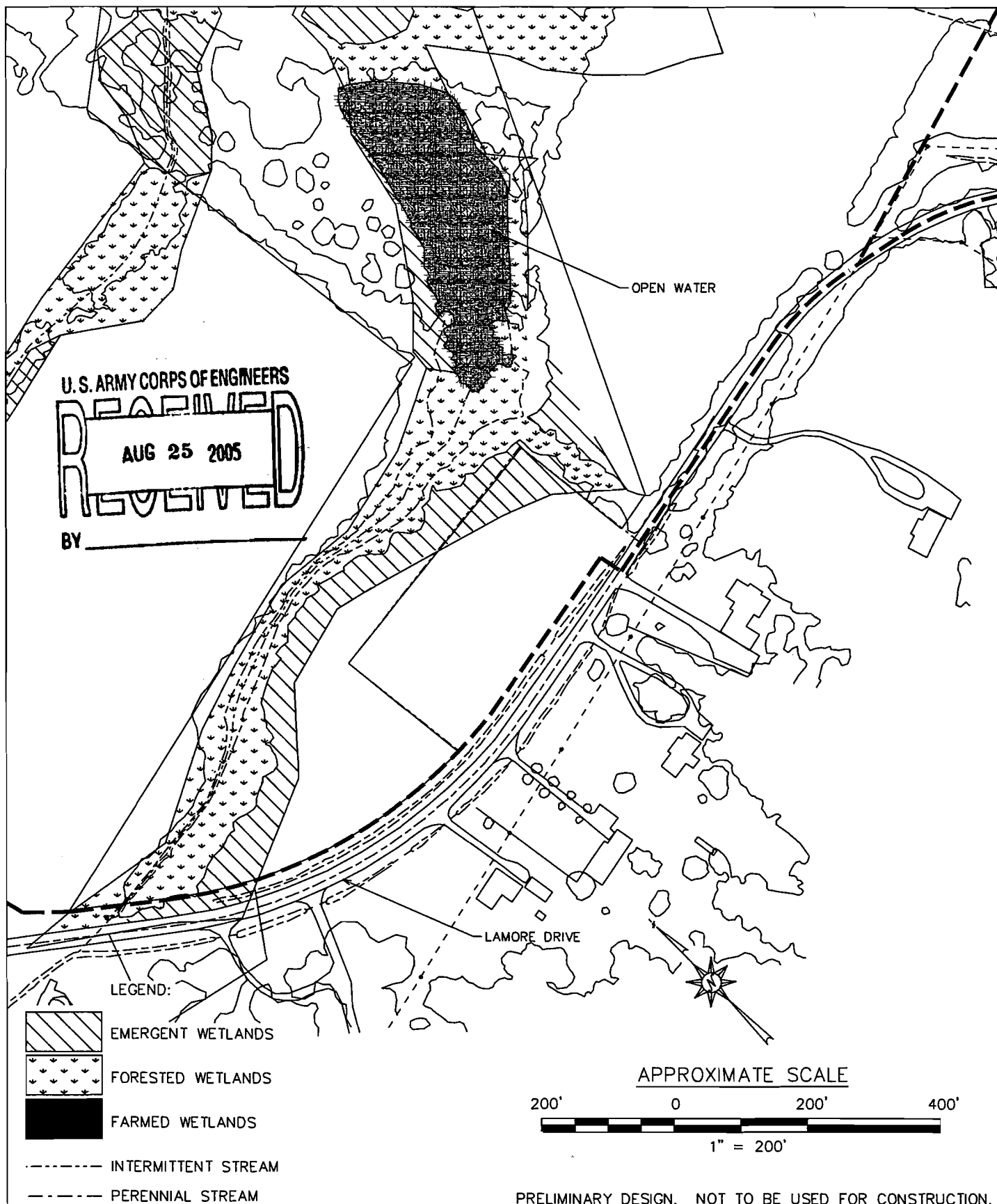


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FIGURE 3G
 PLAN VIEW
 SITE PLAN
 PROPOSED INTERMODAL FACILITY
 PRINCE GEORGE, VIRGINIA

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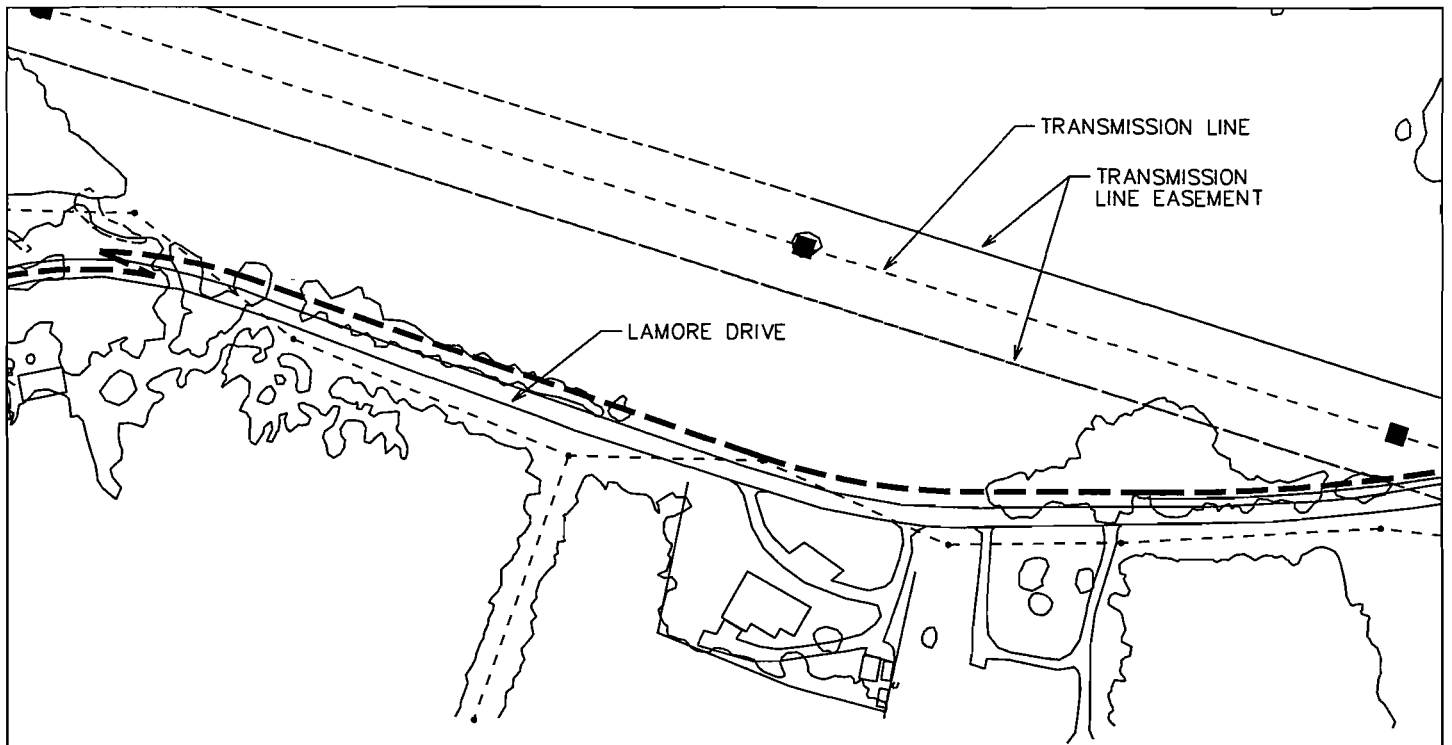


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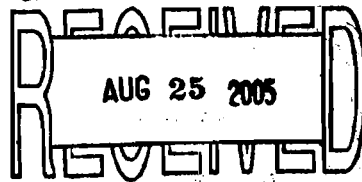
FIGURE 3H
 PLAN VIEW
 SITE PLAN
 PROPOSED INTERMODAL FACILITY
 PRINCE GEORGE, VIRGINIA

JULY 2005

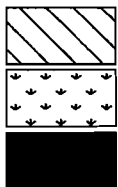
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LEGEND:



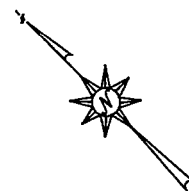
EMERGENT WETLANDS

FORESTED WETLANDS

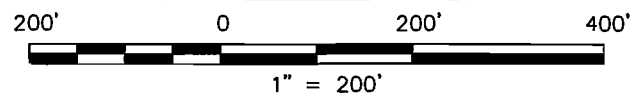
FARMED WETLANDS

----- INTERMITTENT STREAM

- - - - - PERENNIAL STREAM



APPROXIMATE SCALE



PRELIMINARY DESIGN. NOT TO BE USED FOR CONSTRUCTION.



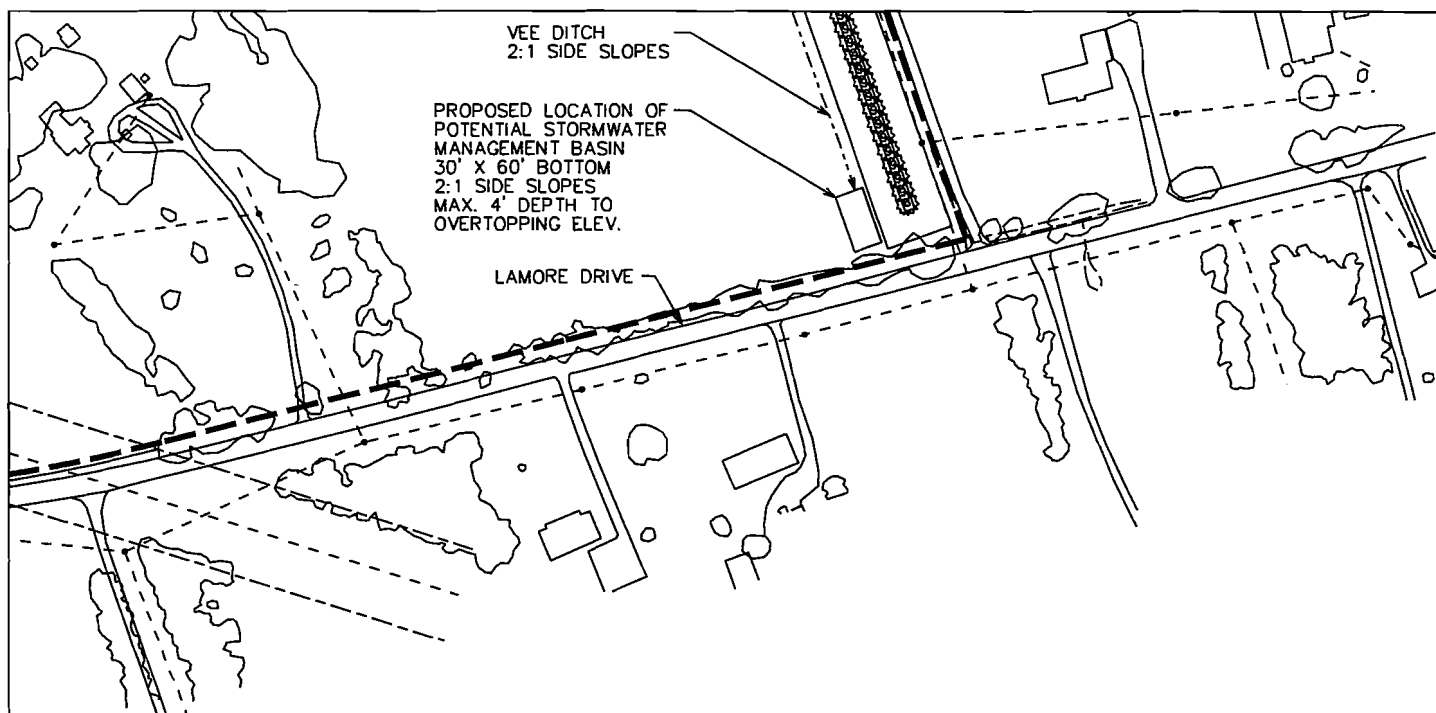
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FIGURE 3I
PLAN VIEW

SITE PLAN
PROPOSED INTERMODAL FACILITY
PRINCE GEORGE, VIRGINIA

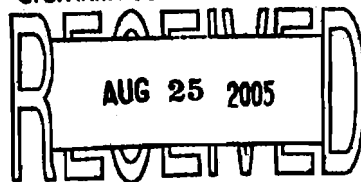
JULY 2005

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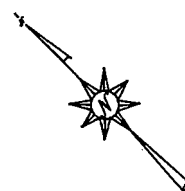


IMPACT AREA NUMBER	IMPACT AMOUNT	NOTES
1	0.22 ACRE OF FORESTED WETLANDS; 42 LINEAR FEET (LF) OF AN INTERMITTENT STREAM	FOR PLAN AND CROSS SECTION VIEW DETAILS, REFER TO FIGURES 4 AND 4A
2	0.37 ACRE OF FORESTED WETLANDS	FOR PLAN AND CROSS SECTION VIEW DETAILS, REFER TO FIGURES 5 AND 5A
3	0.71 ACRE OF FORESTED WETLANDS	FOR PLAN AND CROSS SECTION VIEW DETAILS, REFER TO FIGURES 6 AND 6A
4	1.55 ACRES OF FORESTED WETLANDS	FOR PLAN AND CROSS SECTION VIEW DETAILS, REFER TO FIGURES 7 AND 7A

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BY



LEGEND:



EMERGENT WETLANDS



FORESTED WETLANDS

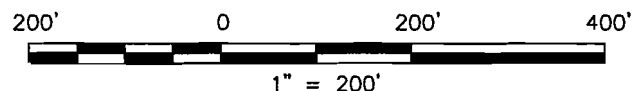


FARMED WETLANDS

----- INTERMITTENT STREAM

----- PERENNIAL STREAM

APPROXIMATE SCALE



PRELIMINARY DESIGN. NOT TO BE USED FOR CONSTRUCTION.



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FIGURE 3J
PLAN VIEW

SITE PLAN
PROPOSED INTERMODAL FACILITY
PRINCE GEORGE, VIRGINIA

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